

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268

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In the Matter of:

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| <u>Swaledale</u> | <u>Iowa</u> | <u>50477</u> |
| Post Office | State | ZIP Code |

POSTAL REGULATORY
COMMISSION
OFFICE OF THE SECRETARY
Docket No: A2012-52

John Drury, Petitioner(s)

PARTICIPANT STATEMENT

1. Petitioner(s) are appealing the Postal Service's Final Determination concerning the Swaledale post office. The Final Determination was posted 10/17/2011.
(date)

2. In accordance with applicable law, 39 U.S.C. § 404(d)(5), the Petitioner(s) request the Postal Regulatory Commission to review the Postal Service's determination on the basis of the record before the Postal Service in the making of the determination.

3. Petitioners: Please set out below the reasons why you believe the Postal Service's Final Determination should be reversed and returned to the Postal Service for further consideration. (See pages of the Instructions for an outline of the kinds of reasons the law requires us to consider.) Please be as specific as possible. Please continue on additional paper if you need more space and attach the additional page(s) to this form.

(Refer to Attachment A)

CITY OF SWALEDALE
P. O. BOX 7
SWALEDALE, IA 50477
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E-MAIL: cityofswaledale@frontiernet.net

Our appeal is based on the following:

The USPS has exhibited unprofessional conduct throughout this process. On May 28, 2011, I went into the Swaledale post office and was greeted by the current rural carrier, Kim Linville, who told me that "the public meeting is in two weeks and we're closing this office." It is my understanding that this type of comment from a postal employee while an office is under a discontinuance study is strictly prohibited and if not, then certainly it's unethical and completely inappropriate and unfair to the entire process. I sent a complaint letter to Mr. Thomas Allen, Manager of Post Office Operations at the time of the incident. Unfortunately, Mr. Allen's response to my letter was a return phone call where I was accused of fabricating the entire story.

Additionally, at our initial community meeting on June 13, 2011 conducted by Thomas Allen, citizens, business owners and post office customers were met with extreme sarcasm and rude behavior from Mr. Allen. At one point, we had a business owner explain that they were about to expand their business and that if there was any doubt in the postal service's ability to keep that office open, the business wouldn't expand and would look at other locations as well as other parcel services. The response from Mr. Allen was that it "wasn't his problem." The PO-101 Handbook states that the employees conducting the community meeting "must also possess highly developed human relations and communications skills." This type of response from a high ranking postal official is arrogant, derogatory, and clearly falls short of this requirement. Mr. Allen had a mission of convincing residents that it would do no good to fight this. This type of behavior severely hampered the community response. Had Mr. Allen acted in a more professional manner, the customers of the Swaledale Post Office would have felt that they could ask more questions and that providing more comments regarding the discontinuance would have an effect on the outcome.

The Postal Service's decision to provide delivery and retail services under the administrative responsibility of the Rockwell, Iowa post office is contrary to the Federal Postal Code service requirement. The Rockwell office has extremely limited hours compared to the current hours of the Swaledale post office, and is not handicap accessible. The limited hours will cause unnecessary hardship to many residents and customers of the Swaledale office and the office will simply not be able to provide the maximum degree of effective and regular service to these citizens. The Swaledale office is handicap accessible so this loss is a very legitimate concern of those affected. **When customers need to go to the administrative post office in Rockwell it will be impossible for those needing handicap accessibility.**

False economic savings data is used to support the discontinuance decision. Under the Economic Savings section of the “determination to close”, the Postal Service factors in salary and benefits of a Postmaster to this facility, instead of the same expense of a working OIC or PMR. This office has not had a Postmaster since 2007 so this unfairly inflates the expenses and economic savings to the Postal Service.

The Postal Service’s decision to close our post office and provide rural delivery service raises questions concerning the sanctity and security of the mail and the risks involved in the handling of mail by non-career employees. There will undoubtedly be inefficiencies in purchasing stamps and money orders, as well as sending time sensitive mail such as certified letters, registered letters, city water lab samples, and COD’s. **Waiting at a curbside mailbox to conduct postal business when the rural carrier arrives, as the proposal suggests, can not under any circumstances be considered the maximum degree of regular and effective service.**

The USPS has failed to recognize the negative effect on the community. The Swaledale Post Office is one of the three required public notice posting places established by ordinance for the City of Swaledale. Removal of this office and its public bulletin board leaves the city without a third common gathering place to post public meeting notices as well as city council minutes, which we are required to do by law.

There are no retail businesses in Swaledale for establishment of a Village Post Office concept.

The USPS has failed to follow the USPS Handbook PO-101. PO-101 Section 222, Preproposal Investigation, states a requirement that postal officials “*meet with civic leaders, such as the mayor and local business managers. Working with the Facilities Service Office, look for potential alternate quarters and community Post Office (CPO) sites. Inquire into community interest and availability of quarters for contracting a CPO.* These meetings never took place. The city would have liked the opportunity to work with the Postal Service to help this location be more economical.

PO-101 Section 242, Justification for Discontinuance, An example of justification includes “*The postmaster position is vacant. Service needs in the community have declined and the recommended alternate service would provide as good or better service to the community. (Include documentation in the official record to support such statements.)*” **No such documentation exists in the official record that would support a claim that our replacement service will be as good or better service to the community.**

Swaledale has a large number of elderly residents who are unable to travel to Rockwell or Thornton, both a 15 minute drive one way, for routine postal services since no public transportation is available. This places an unfair burden on senior citizens and does not provide them with the maximum degree of regular and effective service that they were given by Congress. Many elderly residents also require handicap accessibility which would not be available at our administrative office in Rockwell.

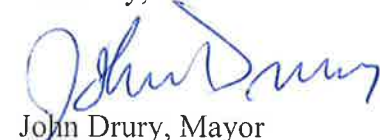
Businesses need to receive mail early in the day and also need postal services near the end of the business day. Sending an employee several miles to some other community in mid-afternoon is a costly detriment to any business at a time when we need to be encouraging any businesses. **As mentioned above, one business in town may need to relocate if our post office closes or will have to make use of an alternative delivery service.**

At a recent meeting with Iowa Governor Terry Branstad, several Iowa mayors and community leaders, and USPS officials, it was stated by postal officials that the offering of reduced utility bills or a reduction in office hours would not be considered because the problem is with the labor costs, not bricks and mortar, etc. Labor savings from closing the Swaledale office is estimated to be \$32,394 annually, and would be considerably less if accurate current salary figures are used. **Closing the office just takes the wages from the OIC and gives an additional \$11,885 to the rural carrier, sacrificing critical services to residents and businesses in town in the process.**

The United States Postal Code , Title 39, Part 1, Chapter 1, § 101 (b) states: "The Postal Service shall provide a maximum degree of effective and regular postal service to rural areas, communities and small towns where post offices are not self-sustaining. No post office shall be closed for operating at a deficit. It is the specific intent of the Congress that effective postal service be insured to residents of both urban and rural communities." **It is clear that from the beginning of this "process" postal officials have completely disregarded not only the US Postal Code, but also their own rules designed to study the discontinuance of a post office.**

The citizens of Swaledale, Iowa request that the Postal Regulatory Commission examine the procedures in which the USPS came to the conclusion that any of the above replacement services could possibly be considered the maximum degree of regular and effective service to the patrons of this office and reverse the decision to close the Swaledale Post Office.

Sincerely,



John Drury, Mayor
City of Swaledale, Iowa